THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.428 of 2006

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondent in issuing letter dated 16.6.2005 as arbitrary, illegal and contrary to the instructions issued by the Ministry of Personnel and Training, Government of India dated 10.9.1998 and consequently direct the respondent to consider the case of the petitioner for Group 'D' employment.

It appears, the father of the petitioner Mr.Sambaiah while working as Constable in CRPF died in harness on 26.8.1995 due to cancer. Therefore, petitioner sought for employment on compassionate grounds. In pursuance to the application of the petitioner, he was called for interview for considering his case for appointment on compassionate grounds and was asked to attend the interview to be held between 15.9.2003 and 23.9.2003. The petitioner did not avail the said opportunity. However, thereafter, he was again asked to appear for interview to be held on 8.12.2003 at Bangalore. The Medical Board which examined the petitioner on 11.12.2003, found the petitioner medically unfit due to obesity and knock knee and communicated the same to the petitioner. Now it is the case of the petitioner that may be, he is not entitled for appointment to the post of Constable in CRPF due to obesity and medical unfitness, but in a case of compassionate appointment, the respondent is supposed to accommodate him in a suitable post and in spite of doing so, the respondent has rejected his case on the ground of medical unfitness.

The learned counsel for respondent submits that the case of the petitioner was already considered earlier and rejected and there is no scope for considering his case once again.

However, it is the case of the petitioner that after his case was rejected for being appointed as Constable in view of his medical unfitness, he made a representation to the Directorate General, CRPF, C.G.O. Complex, Lodhi Road, New Delhi on 15.12.2003 requesting to appoint him in any suitable post on compassionate grounds. The petitioner states that the said application is still pending and not disposed of.

In view of the above, without expressing any opinion on merits, the respondent is directed to consider the representation purported to have been made by the petitioner on 15.12.2003 and consider his case for being appointed to any suitable post, if he is otherwise eligible, as per law, and pass appropriate orders within a period of (8) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

With the above direction, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU,

J

Date: 3.8.2007

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.428 of 2006

3.8.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.428 of 2006

Date: 3rd August, 2007

Between:

K.Dasu

.. Petitioners

And

The Addl. DIGP,
Group Centre, CRPF, Hyderabad.

.. Respondent